

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

Nicholas Ertle
(SSN: XXX-XX-1705)

Debtor.

Hearing Date: July 23, 2015
Hearing Time: 12:30 PM
Hearing Location: Albany

Case No. 15-10209
Chapter 13

TRUSTEE'S OBJECTION TO CONFIRMATION

Andrea E. Celli, Chapter 13 Standing Trustee for the Northern District of New York
(the"Trustee") states the following as and for her objection to confirmation of the Chapter 13
Plan. The Debtor filed the petition for relief on Feb 04, 2015. The Proposed Plan is as follows:

Start	Periods	Amount	Type
02/01/2015	60.00	\$200.00	MONTHLY

The Trustee objects to the confirmation of the proposed plan and submits that the plan does not
meet the requirements for confirmation under 11 U.S.C. 1322, 1325 as follows:

DOMESTIC SUPPORT OBLIGATION INFORMATION: Debtor has not confirmed
that all domestic support obligations are current and will remain current during the term of
the plan (Trustee 's affidavit attached).

-

TAX RETURNS: Debtor has not filed all applicable tax returns as required for all tax
periods ending during the 4 -year period ending on the date of filing, or has not provided
required tax returns to the Trustee for review as follows:

-Evidence of filing of 2012-2014 NYS tax return(s)

DISPOSABLE INCOME: The Debtor has failed to provide for the submission of all disposable income, pursuant to 11 U.S.C. Section 1325(b)(1)(B):

-Provide retirement loan(s) - provide balance and maturity date for future monitoring

INFORMATION NEEDED: The Trustee cannot determine if all provisions of 11 U.S.C. § 1325 have been met and requests additional information to assist in her determination, as follows:

- 1. Copies of retirement account statements for past 2 years - T. Rowe Price
2. Affidavit regarding all bank accounts, investment accounts, retirement accounts held within last 6 years
3. Amended Schedule C

WHEREFORE, the Trustee respectfully requests that this Court issue an Order denying confirmation of the plan or briefly adjourning the hearing on confirmation to allow the movant to resolve the objection contained herein.

Respectfully Submitted,

ANDREA E. CELLI, CHAPTER 13 TRUSTEE

By:/s/ Andrea E. Celli
Andrea E. Celli, Chapter 13 Trustee
7 Southwoods Blvd.
Albany, NY 12211
(518) 449-2045

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE: Nicholas Ertle

AFFIDAVIT OF SERVICE

Case No.: 15-10209

Debtor

KATIE ROBBINS, BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS OVER THE AGE OF 18 YEARS; THAT SHE SERVED A COPY OF **TRUSTEE'S OBJECTION TO CONFIRMATION** DATED JULY 15, 2015 ON THE FOLLOWING MANNERS: ON JULY 15, 2015.

VIA ELECTRONIC FILING:

Office of the United States Trustee
74 Chapel Street
Albany, NY 12207

RICHARD CROAK & ASSOC.
314 GREAT OAKS BLVD
ALBANY, NY 12203

VIA REGULAR U.S. MAIL

Nicholas Ertle
225 West Pond Lily Rd.
Elizaville, NY 12523

BY DEPOSTING A TRUE AND CORRECT COPY OF THE SAME PROPERLY ENCLOSED IN A POST-PAID WRAPPER IN THE OFFICIAL DEPOSITORY MAINTAINED AT 7 SOUTHWOODS PLAZA, ALBANY, NEW YORK DIRECTED TO SAID PERSON(S), AT SAID ADDRESSES.

/s/ KATIE ROBBINS

KATIE ROBBINS

Sworn before me this
15th day of July, 2015

/s/ Cheryl Corning

Reg. # 01C06024424

Notary Public - State of NY

Qualified in Rensselaer County

My Commission Expires 05/10/2019